

REMARKS

Claim Rejections under 35 U.S.C. § 102

Claims 1-7, 9-10, and 14-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chan et al., "Application Technique to Optimizing Wireless Email Transfer."

Chan et al. is directed to a compaction technique wherein a requested object on a server (e.g. an email) is encoded in a compact manner for transmission to a client by using reference objects already in possession of the client as a dictionary for encoding the requested object. (Chan et al., Section I, para. 3.) The technique consists of two key components: (1) a selection algorithm for choosing references objects, and (2) an encoding/decoding algorithm that encodes/decodes an object using a collection of reference objects. (Chan et al., Section I, para. 4.)

In setting forth the present rejection, the Office relies on the following description in Chan et al. as assertedly disclosing all the elements of the claims:

In the server-to-client direction, a client receives notification of new email messages by receiving concise descriptions of these messages from the server. These descriptions contain the *sender name*, *date*, *message length* and *subject*. The client selectively retrieves emails by sending the name of the requested email and the set of reference messages to the server. The reference messages are chosen by the selection algorithm given the set of messages cached locally. From the implementation point of view, all reference to emails will be via unique integers generated by the server (e.g., the unique identifier or UID in IMAP4 can be used). On receiving the request, the server performs encoding using the set of reference objects and sent [*sic.*] this encoded object to the client. Finally, the client receives and decodes the encoded object using locally cached reference objects. (Chen et al., Section III, para. 3.)

As amended herein, claim 1 recites the following combination of elements:

in a first retrieval operation, retrieving from the first memory and storing into a second memory only a first hierarchical level of information corresponding to at least one of the data items, *wherein the first hierarchical level of information comprises at least one identifier for uniquely identifying each of the at least one of the data items*; and

in a second retrieval operation separate from the first retrieval operation, retrieving from the first memory and storing into the second memory only a second hierarchical level of information corresponding to the at least one of the

data items, *wherein the second hierarchical level of information comprises metadata for the at least one of the data items* (emphasis added).

Applicants have amended claim 1 to include limitations previously recited in claims 4 and 5, and respectfully submit that the newly amended combination of elements is allowable over the cited art. Specifically, Chan et al. does not disclose the separate retrieval of “at least one identifier for uniquely identifying each of the at least one of the data items” in a first retrieval operation, and “metadata for the at least one of the data items” in a second retrieval operation. Rather, as Chan et al. explains: “... a client receives notification of new email messages by receiving concise descriptions of these messages from the server. These descriptions contain the *sender name, date, message length* and *subject*.” Subsequently, “the client receives and decodes the encoded object using locally cached references objects.” (Chan et al., Section III, para. 3.)

The Office asserts that Chan et al. discloses the limitation of a first hierarchical level of information comprising “at least one identifier for uniquely identifying each of the at least one of the data items” based on the description at Section III, para. 3, lines 9-12, that “all reference to emails will be via unique integers generated by the server (e.g., the unique identifier or UID in IMAP4 can be used).” In the context of this description, however, it appears that it is the reference objects, and not the requested email object itself, that are being identified in a reference message by the UID’s. Regardless, there is no disclosure in Chan et al. that any identifier is sent to the client in a separate retrieval operation from metadata as now recited in claim 1.

Applicants have amended claim 9 herein into independent form including all the limitations recited in claim 1 from which claim 9 originally depended. Claim 9 recites the limitations of retrieving and storing first, second and third hierarchical levels of information in respective separate retrieval operations. The Office asserts that Chan et al. discloses the limitation of “retrieving and storing into the memory only a third hierarchical level of information corresponding to the at least one of the data items,” based on the description at Section III, para. 3, lines 7-9, that “reference messages are chosen by the selection algorithm given the set of messages cached locally.” The reference messages are not a third hierarchical level of information corresponding to a data item, but are rather information on separate reference objects that are in possession of the client and that may be used as a dictionary to

encode data of a requested object. As described above, Chan et al. teaches receipt of all the metadata corresponding to emails, and then the selective retrieval of the email itself.

Accordingly, Chan et al. does not teach a third hierarchical level of information or retrieving and storing it in a third retrieval operation as recited in claim 9.

Applicants have amended claim 14 herein into independent form including all the limitations recited in claim 1 from which claim 14 originally depended, as well as to include the limitation previously recited in claim 15 “wherein at least one of the first trigger and the second trigger is a predictive indicator predicting a user’s preferences for retrieving information from the set of data items.” The Office asserts that Chan et al. discloses this limitation based on the description at Section III, para. 3, lines 10-12, that “all reference to emails will be via unique integers generated by the server (e.g., the unique identifier or UID in IMAP4 can be used).” Reference to an email using a unique identifier is not a trigger comprising a predictive indicator predicting a user’s preferences for retrieving information.

Moreover, Chan et al. focuses on the use of reference objects by use of a selection algorithm and further, teaches compacting the transfer size of an object by exploiting similarities with other cached objects. Applicants’ invention describes updating the contents of a cached representation according to a hierarchical order, so as to minimize the size of the cache, the frequency by which it is updated, and the amount of data that is transferred. Applicants respectfully submit that the examiner has failed to acknowledge this general difference between the inventions. Chan et. al reduces the amount of data transferred by compacting the size of the particular objects transferred. However, Applicants reduce the amount of data transferred by minimizing the number of data items transferred.

In view of the foregoing Applicants respectfully submit that Chan et. al. fails to disclose, expressly or inherently, all of the elements of amended claims 1, 9, and 14, and that claims 1, 9 and 14 are allowable under the provisions of 35 U.S.C. § 102(b). Claims 2-4 and 6 depend from claim 1 and claim 10 depends from claim 14, and these claims are also allowable as depending from an allowable claim. Based on the amendments and arguments above, reconsideration and withdrawal of the rejection of claims 1-4, 6, 9-10, and 14 under 35 U.S.C. § 102(b) is respectfully requested. The rejection of claims 5, 7-8 and 15 are moot, as these claims have been cancelled without prejudice or disclaimer.

Claim Rejections under 35 U.S.C. § 103

Claims 8, 11 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al., “Application of Compaction Technique to Optimizing Wireless Email Transfer,” in view of Ulrich et al., U.S. Patent No. 6,052,735. Claim 12 has been rejected under 35 U.S.C. § 103(a) as being obvious in view of Chan et al.

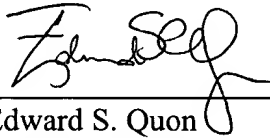
Claims 11, 12, and 13 depend from claim 9. As discussed above, Chan et al. teaches receipt of all the metadata corresponding to emails, and then the selective retrieval of the email itself. Accordingly, Chan et al. does not teach a third hierarchical level of information or retrieving and storing it in a third retrieval operation as recited in claim 9. Chan et al. also fails to teach a fourth hierarchical level of information or retrieving and storing it in a fourth retrieval operation as recited in claims 12 and 13. The combination of Chan et al. with Ulrich et al. fails to overcome these deficiencies. Accordingly, reconsideration and withdrawal of the rejection of claims 11, 12 and 13 under 35 U.S.C. § 103(a) is respectfully requested. The rejection of claim 8 is moot, as claim 8 has been cancelled without prejudice or disclaimer.

CONCLUSION

The Examiner is respectfully invited to contact the undersigned attorney at (650) 812-1371 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **50-1847**.

Respectfully submitted,
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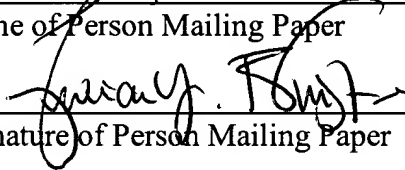
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(37 C.F.R. §1.10)

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